

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

SIMONE CHRISTOPHE,
Plaintiff

v.

CIVIL NO. 04-1564(DRD)

LUIS A. MELENDEZ-IBARRA, et al.,
Defendants

ORDER OF DISMISSAL

Pending before the Court is plaintiff's *Motion for Voluntary Dismissal* (Docket No. 24), and *Motion to Dismiss Counterclaim* (Docket No. 25). Further, also pending before the Court is defendants' *Motion Requesting Leave to Voluntary Dismiss Counterclaim* (Docket No. 26). In essence, both parties have appeared separately and moved the Court to dismiss without prejudice all claims and counterclaims amongst the parties. Further, the parties have agreed that the dismissal shall be made without the imposition of costs, and attorneys' fees.

Therefore, having the parties appeared seeking the same remedy, the Court hereby grants the parties request, and pursuant to Rule 41(a)(1)(ii), Fed.R.Civ.P., the Court **DISMISSES** plaintiff's claims against the defendants **WITHOUT PREJUDICE**. Likewise, the Court **DISMISSES** defendants' counterclaims against plaintiffs **WITHOUT PREJUDICE**. As agreed by the parties, each party shall bear their own costs and attorney's fees. **Judgment** shall be entered accordingly. **This case is closed for administrative purposes.**

IT IS SO ORDERED.

In San Juan, Puerto Rico this 27th day of April 2006.

S/DANIEL R. DOMINGUEZ
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE